

## MINUTES

CASE NUMBER: 1:19-cv-00578-JMS-RT

CASE NAME: Todd Yukutake, et al. v. Clare E. Connors, et al.

ATTYS FOR PLAS: Stephen D. Stamboulieh  
Alan A. Beck

ATTY FOR DEFTS: Kendall J. Moser

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JUDGE: J. Michael Seabright

REPORTER: Cynthia Fazio

DATE: 10/19/2020

TIME: 10:00 am - 10:20 am

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COURT ACTION: EP: Hearing on the parties' cross-motions for summary judgment was held on October 19, 2020. The court and the parties discussed the recent amendment of one of the provisions at issue in the case, HRS § 134-3(c), which was enacted into law while the parties' present Motions were pending. In light of this legislative change and by agreement of the court and the parties, the pending Motions for Summary Judgment, ECF Nos. 54 and 60, are denied without prejudice (and to be clear, without consideration of the merits). Further, Plaintiff is required to file an amended complaint to clarify the statutory provisions at issue in this case by no later than **Monday, November 2, 2020**.

The court and the parties also discussed the high likelihood that the Ninth Circuit will provide guidance relevant to this case in its en banc decision in *Young v. State of Hawaii*, No. 12-17808. Accordingly, after Plaintiffs file their amended complaint, this case will be stayed until the Ninth Circuit issues its opinion in *Young*. The court and the parties will schedule a status conference within a week of that opinion's publication.

Submitted by: Tammy Kimura, Courtroom Manager